

# Staff Summary Report



To: Mayor and City Council  
Through: City Manager

Agenda Item Number 28  
Meeting Date: 05/17/01

**SUBJECT:** MILL CUE CLUB #SIP-2001.31

**PREPARED BY:** DeeDee (D<sup>2</sup>) Kimbrell, Planner II (480-350-8331)

**REVIEWED BY:** Dave Fackler, Development Services Manager (480-350-8333)

q-j

**BRIEF:** This is the second public hearing for Mill Cue Club for a use permit located at 607 South Mill Avenue.

**COMMENTS:** **PLANNED DEVELOPMENT (0406)** Hold the second public hearing for **MILL CUE CLUB** (Herzel Nahom, property owner) to extend the time limit for Council condition #2 for a billiards/pool hall use permit including indoor live entertainment at 607 South Mill Avenue. The following is requested from the City of Tempe:

**#SIP-2001.31** Use Permit for a time extension for a 4,852 s.f. billiards/pool hall and indoor live entertainment.

Condition to be extended:

2. With four years of date of Council approval, the applicant shall return to City Council for compliance with conditions of approval.

Document Name: 20010517devsrh05

Supporting Documents: Yes

**SUMMARY:** On June 12, 1997, the City Council approved a use permit for a time extension requested by Mill Cue Club to continue operating the same business as approved in 1994 which included a use permit for live entertainment. The 1997 approval was for four years and expires on June 12, 2001. The applicant now requests to extend that condition for four more years. The applicant has been working with the Police Department on a new Security Plan renewal. To date, no public comments or concerns have been received. **Note: The first public hearing for this request was held on May 10, 2001.**

**RECOMMENDATION:** Staff – Approval with conditions  
Public – None to date

- ATTACHMENTS:**
1. List of Attachments
  2. History & Facts / Description
  3. Comments / Reasons for Approval / Conditions of Approval
- 
- A. Location Map
  - B. Site Plan
  - C. Floor Plan
  - D. Letter of Explanation/Intent

## **HISTORY & FACTS:**

<u>November 3, 1987.</u>	The Hearing Officer approved a use permit and a parking variance from 36 spaces to 15 spaces for a new commercial business for U.N. Bazaar and Subsidiaries at 607 South Mill Ave., subject to conditions.
<u>December 27, 1989.</u>	Board of Adjustment approved a use permit and a parking variance from 65 spaces to 15 spaces for a restaurant use for U.N. Café, subject to conditions.
<u>September 29, 1994.</u>	City Council approved a use permit for Mill Cue Club, operator of a 4,852 s.f. billiards/pool hall at 607 South Mill Avenue.
<u>July 12, 1997.</u>	City Council approved a 4-year time extension of a use permit for a 4,852 s.f. billiards/pool hall and bar with live entertainment located at 607 South Mill Avenue.
<u>May 10, 2001.</u>	City Council held their first public hearing for this request.

## **DESCRIPTION:**

Owner – Herzel Nahom  
Applicant – Dominick Barbera  
Existing zoning – CCD  
Site Area – .2 net acres  
Building Area:  
    Mill Ave Cue Club      4,852 s.f.  
Parking Required:      39  
Parking Provided:      15

### Use Permit

Time extension for a 4,852 s.f. billiards/pool hall and indoor live entertainment.

### Condition to be extended:

2. With four years of date of Council approval, the applicant shall return to City Council for compliance with conditions of approval.

### Variances Previously Approved:

Reduce required parking for billiards facility from 39 spaces to 15 spaces (85 spaces to 15 spaces for entire site).

**COMMENTS:** On June 12, 1997, the City Council approved a use permit for a time extension requested by Mill Cue Club to continue operating the same business as approved in 1994 which included a use permit for a 4,852 s.f. billiard/pool hall and a use permit for live entertainment. The 1997 approval was for four years and expires on June 12, 2001. The applicant now requests to extend that condition for four more years. The applicant has been working with the Police Department on a new Security Plan renewal.

The applicant has been in business for 6 <sup>1/2</sup> years operating under the previously approved security plan as part of Council approval on September 29, 1994, with no significant problems or complaints. The applicant has met with the Police Department and completed an updated security plan, which is valid until April 12, 2003. Based on this, staff is in support of the four-year time extension and we believe this use is compatible with the downtown area and has apparently not been a nuisance or disturbance to surrounding properties. To date, no public comments or concerns have been received.

**REASON(S) FOR  
APPROVAL:**

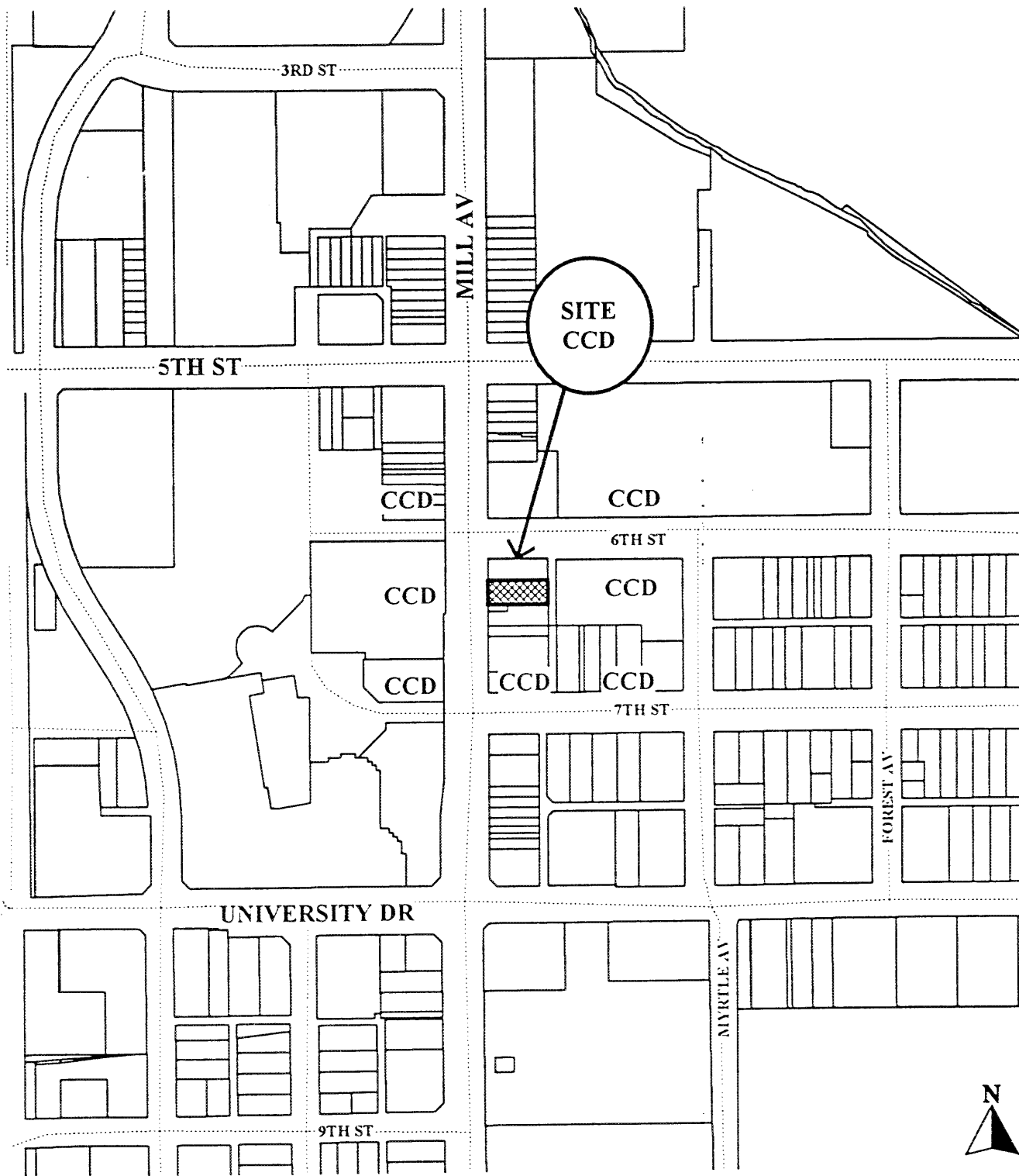
1. Proposed time extension of an existing use should not create any detrimental effects to the surrounding properties.

**CONDITION(S)  
OF APPROVAL:**

1. Use permit is non-transferable and is issued to the current owner of Mill Cue Club only.
2. Within four years of date of City Council approval, the applicant shall return to City Council for compliance with conditions of approval. (May 15, 2005)
3. Any intensification or expansion of the use shall require the applicant to return to the City Council for further review.
4. Any significant verifiable police complaints (as determined by the City Attorney and Police Dept.) shall require the applicant to return to the City Council for further review.
5. Bar activities shall cease at 1:00 a.m. per state statute.
6. All previous applicable City Council conditions of approval shall be adhered to.
7. A Security Plan shall be provided according to the agreement with the Police Department renewal letter dated 4/12/01.

# MILL CUE CLUB

SIP-2001.31



Location Map SEE OTHER SIDE FOR MORE INFORMATION

**SYMBOL(S):**

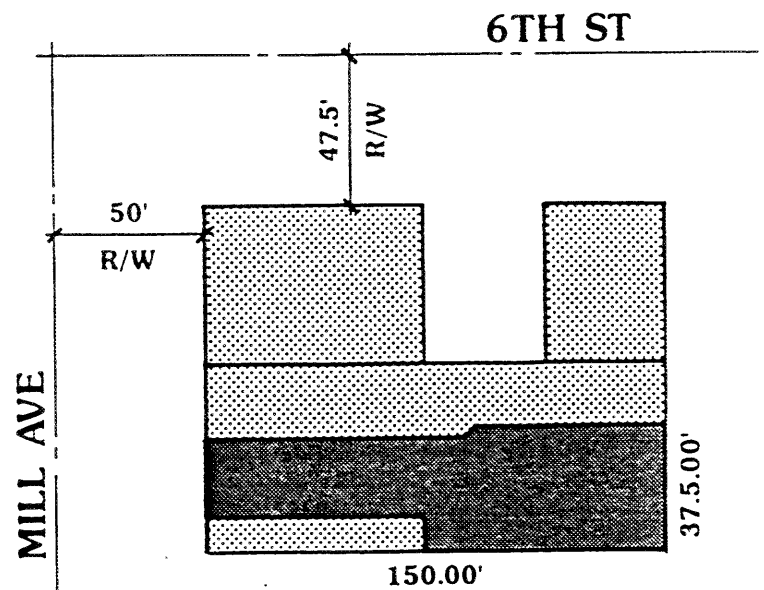
EXISTING BUILDING(S)

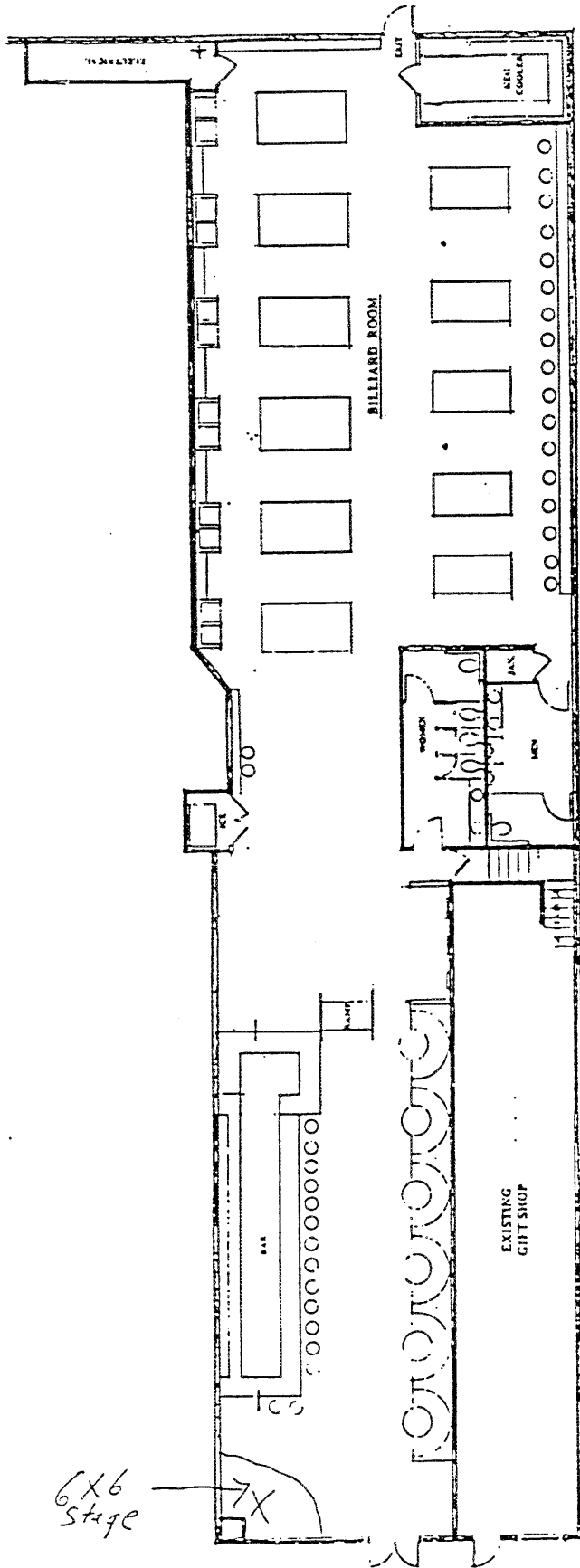
EXISTING BUSINESS REQUESTING  
USE PERMIT**SITE DATA:**

NET ACRES:	2 AC.
TOTAL BUILDING AREA:	4,852 S.F.
BUILDING COVERAGE:	100%
PARKING REQUIRED:	39
PARKING PROVIDED:	15

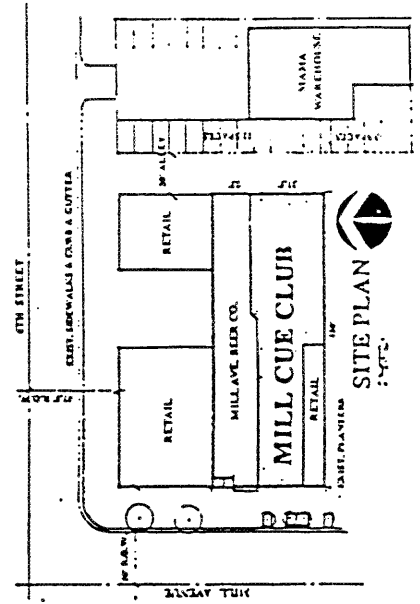
**USE PERMIT(S):**

(SEE BELOW)

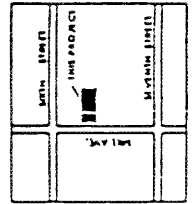




FIRST FLOOR PLAN  
SCALE 1/8" = 1'-0"



SITE PLAN  
SCALE 1/4" = 1'-0"



VICINITY MAP

RECEIVED  
97 MAY -9 PM 12:50  
TEMP  
PLANNING DIVISION

MILL Ave.

March 30, 2001

TO: CITY OF TEMPE

FROM: MILL AVENUE Q CO. L.L.C.  
Dba: MILL CUE CLUB  
607 S. Mill Ave., Tempe, Arizona 85281


RE: USE PERMIT #SIP-94.99

To Whom It May Concern:

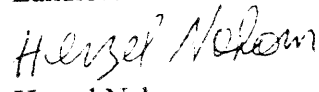
We are requesting to renew our use permit an additional 4 years for the Mill Cue Club from June 12, 2001 to June 30, 2005. The site plan applications and other material requested are attached.

If you should require additional information, please feel free to contact Dominick Barbera at (602) 390-2033.

Sincerely,

  
Dominick J. Barbera  
Mill Cue Club

Landlord authorization by,

  
Herzel Nahom  
Building owner